



Docket No.: 250564US2

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



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RE: Application Serial No.: 10/801,822

Applicants: Hiroyuki KIMBARA, et al.

Filing Date: March 17, 2004

For: INFORMATION PROCESSING APPARATUS
STARTED FROM A PROGRAM RECORDED ON A
RECORDING MEDIUM WITH WELL-MAINTAINED
SECURITY, AND A RECORDING MEDIUM
STORING SUCH A PROGRAM AND A
PRODUCING METHOD OF SUCH A RECORDING
MEDIUM

Group Art Unit: 2167

Examiner: Lewis, C.R.

SIR:

Attached hereto for filing are the following papers:

STATEMENT OF SUBSTANCE OF INTERVIEW

Our check in the amount of \$- 0 - is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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James J. Kulbaski

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Attorney of Record

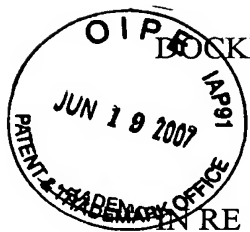
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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

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: EXAMINER: LEWIS, C.

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STATEMENT OF SUBSTANCE OF INTERVIEW

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SIR:

In response to the Interview Summary of June 13, 2007, a Statement of the Substance of the Interview is presented below.

On June 11, 2007, a personal interview was held between Applicants' representative and Examiner Cheryl Lewis. During this interview, Applicants' representative pointed out that an Amendment responsive to the last Office Action had been filed on June 11, 2007, and that the purpose of the interview was to highlight the claim changes and arguments presented therein.

In this last respect, Applicants' representative pointed out that the Amendment filed June 11, 2007, adds the limitation that the "programs" of Claims 1-3, 6-8, 10-12, 15-17, 19-

21, 24-26, 28-31, 34-36, 38-40, 42-51, 54-57, 60-74, 76, and 77 are “computer software” programs.

In addition, Applicants’ representative noted that the remarks of the Amendment further traversed the rejection of Claims 1-41 under 35 U.S.C. § 102 as being anticipated by Kobayashi because the teachings of Kobayashi relied on in the outstanding Action were directed to “a method of recording data ... and recording device.” As was further noted, these teachings are not relevant to the subject matter of these claims that requires that a record medium be detected to be in an “accessible state,” prior to performing the activating of the “accessible state.” They were further noted to not be relevant to the claimed authentication check on the activated recording medium so that a **computer software program** can be **read** from said recording medium when a result of the authentication check is normal, which permits the execution of the **computer software program** being **read**.

Also, it was noted by Applicants’ representative that the relied upon teachings of paragraph [0030] of Kobayashi do not teach the claimed “detector that detects a recording medium to be positioned to be set in an accessible state.”

In addition, Applicants’ representative that urged that paragraph [0035] of Kobayashi does not teach the recited “program starting section that performs an authentication check on said recording medium activated by the recording-medium starting section.” He also noted that paragraphs [0030] and [0031] of Kobayashi do not teach reading a reading a computer software program from the medium and paragraphs [0035] to [0037] do not teach that such computer software program reading is done when a result of the authentication check is normal.

With respect to the rejection of Claims 42-53, 60-63, 68, 69, and 72-75 under 35 USC §102(b) as being anticipated by Kishi, it was noted by Applicants’ representative that paragraphs [0074] to [0075] of Kishi do not teach recording license information along with a

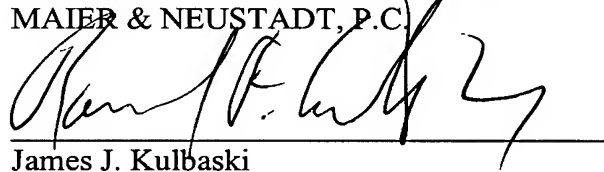
computer software starting program on a recording medium. Instead, Kishi was urged to teach recording license information with digital information 6 that is suggested in paragraph [0036] of Kishi to be music data, for example. It was also noted that even if it is improperly assumed, without any supporting evidence, that the digital information 6 recorded by Kishi contains some unknown type of software program, there is no indication or suggestion of recording a starting computer software program for starting an information processing apparatus as required by the subject matter of these rejected claims.

With respect to the rejection of Claims 54-59, 64-67, 70, 71, 76-78 under 35 U.S.C. §102(b) as being anticipated by Kawaura, it was noted by Applicants' representative that paragraphs [0094] to [0100] of Kawaura simply teach that the contents of a flash ROM 204 are updated according to information from a flash card 207. This was noted not to be a teaching or suggestion of any updating of this flash card itself, and also noted to have nothing to do with the claimed updating of a starting computer software program for starting an information processing apparatus.

The Examiner indicated that she would consider these claim amendments and points when reviewing the Amendment. She also cautioned that the review of the claims would be based on the broadest reasonable interpretation standard and that she believed the independent claims to be quite broad.

Respectfully submitted,

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(OSMMN 10/01)

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